

MELLINGER KARTZMAN LLC

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In re:	UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY
BED BATH & BEYOND INC., et. al.,	Chapter 11
Debtors.	Case No.: 23-13359 (VFP)
	Honorable Vincent F. Papalia

JOINDER TO LEASE PROCEDURES OBJECTIONS

Farley Real Estate Associates, LLC (“Farley”), by and through its attorneys, Mellinger Kartzman LLC, hereby objects to the Debtors’ Motion for Entry of an Order (I) Establishing Procedures to Sell Certain Leases, (II) Approving the Sale of Certain Leases, and (III) Granting Related Relief¹ (the “Motion”) [Dkt. No. 193]:

BACKGROUND

1. Debtor Bed Bath & Beyond Inc. (the “Debtor”) and Farley, as successor in interest to Farley Realty Corp., are parties to that certain Lease Agreement originally dated September 21, 1984, as amended from time to time (the “Lease”), related to premises comprised of approximately 20,353 gross rentable square feet of space. Farley leased an additional 27,287 gross rentable square feet of space to the Debtor on or about February 11, 1988, located at 715 Morris Turnpike, Springfield, New Jersey 07081.

¹ Capitalized terms that are used but not defined herein shall have the meanings ascribed to such terms in the Motion.

2. On April 23, 2023, the Debtor and certain of its affiliates (collectively, “Debtors”) filed voluntary petitions for relief under Chapter 11 of Title 11 of the U.S. Code, 11 U.S.C. § 101 *et. seq.* (the “Bankruptcy Code”), commencing the above-captioned Chapter 11 cases in the United States Bankruptcy Court for the District of New Jersey.

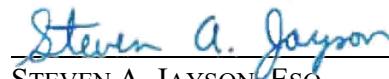
JOINDER

3. On May 3, 2023, Debtors filed the Motion, seeking approval of certain procedures for the sale, assumption, and assignment of their unexpired leases of non-residential real property, including the Lease, as well as procedures for the determination of any related Cure amounts. [Dkt. No. 193].

4. Certain parties have filed objections to the procedures provided for in the Motion, including the objections filed by TF Cornerstone Inc. and 200-220 West 26 LLC [Dkt. No. 313] and CMR Limited Partnership [Dkt. No. 334] (the “Objections”). Farley hereby joins in, adopts, and incorporates by reference the objections to the Motion’s proposed lease and Cure related procedures, as described in the Objections. Farley further reserves all rights and defenses with respect to any proposed sale, assumption, assignment, or rejection of the Lease or with respect to any proposed Cure Amount.

MELLINGER KARTZMAN LLC

Dated: May 18, 2023


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